IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.56501-M of 2006

DATE OF DECISION:9.11.2006

Hardip Singh & Anr. .....Petitioners

Versus

State of Punjab .....Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri T.S. Sangha, Advocate
for the petitioner.

Shri N.S. Gill, AAG, Punjab.

Shri Karan Garg, Advocate
for the complainant.

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Petitioner Hardip Singh and Partap Singh apprehending their arrest in a non-bailable offence in case FIR No. 61 dated 8.6.2006 under Sections 324/323/34 IPC (326 IPC added later on), registered at Police Station City Badhani Kalan, District Moga, have filed this petition under Section 438 Cr.P.C. for anticipatory bail.

I have heard counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioners contends that in the instant case, initially, the FIR was registered under Sections 324/323/34 IPC and subsequently, offence under Section 326 IPC was added. Counsel contends that in the occurrence in this case, petitioner No.1, who is alleged to have caused grievous injuries, has also received four injuries i.e. two by blunt weapon and two by sharp edged weapon.

Counsel for the petitioner futher contends that in view of the order dated 15.9.2006, the petitioner has joined the investigation. Counsel

for the respondent-State does not dispute this fact and further states that the petitioner is no more required for custodial interrogation.

In view of the above, the interim bail, granted vide order dated 15.9.2006 is made absolute subject to the same terms and conditions.

This bail order shall remain in operation till the investigation culminates into filing of challan under Section 173 Cr.P.C. except for material change in the circumstances. Thereafter the petitioner shall be entitled to the grant of regular bail by the trial Court and the same shall further continue till conclusion of the trial on the conditions to be imposed by the court of competent jurisdiction.

Disposed of accordingly.

November 9, 2006 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**